AMENDMENTS TO THE SPECIFICATION

Please amend the written description as follows:

Page 1, first full paragraph:

The present application is related to U.S. application no. 09/392,336 filed September 8, 1999, which is incorporated by reference herein. U.S. application no. 09/392,336 issued as U.S. Patent No. 6,680,907 to Bonaventure on January 20, 2004.

Page 2, second full paragraph:

It has to be remarked that according to the used terminology the traffic is metered before being marked. Usually, both functionalities ~~functionality's~~ are combined in a single device whereby the term traffic marking is often used to refer to both functions, i.e., metering and marking.

Page 3, second full paragraph:

In order to improve the performance of a marker, shapers are used. A rate adaptive shaper improves the performance of, e.g., TCP traffic when a marker is used at the ingress of a diffserv network by reducing the burstiness of the traffic and thus by increasing the proportion of packets marked as low drop probability, i.e., high priority, e.g., green, by the marker. Indeed, by reducing the burstiness of the traffic, the shapers increase the percentage of packets marked as green by the marker and thus the overall throughput ~~goodput~~ of the users using such a shaper.

Page 6, second full paragraph:

It has to be remarked that, rate adaptive shapers can be used in either pure best-effort enabled networks or any Quality of Service enabled networks such as differentiated service networks (Diffserv ~~Diffsserv~~ networks) or any kind of packet network, be it ATM, Frame Relay or IP.

Page 7, second full paragraph:

The above and other objects and features of the invention will become more apparent and the invention itself will be best understood by referring to the following description of an embodiment taken in conjunction with the accompanying FIG. 1 ~~Figure~~ that represents a shaper being coupled in upstream direction to a marker. The working of both devices according to the present invention in accordance with its telecommunication environment will be explained by means of a functional description of the different blocks as shown therein. Based on this description, the practical implementation of the blocks will be obvious to a person skilled in the art and will therefor not be described in further details. In addition, the principle working of the shaping method will be described in further detail.

Paragraph bridging Pages 7 and 8:

For the purpose of the description of an embodiment, a Diffserv telecommunication network is preferred. The part of the Diffserv telecommunication network that is shown in FIG. 1 ~~the Figure~~ comprises a shaper S, which is upstream coupled to a marker M.

Page 8, second full paragraph:

The shaper S converts an incoming data flow IN with an incoming data packet rate R-IN into an outgoing data packet flow with an adaptive outgoing data packet rate R-OUT. The buffer BUF is a first in first out buffer FIFO and is comprised to buffer data packets of the incoming data flow IN and to generate thereby buffered data packets. A first one of these buffered data packets is shown in FIG. 1 ~~the Figure~~ as P. The leaking time determiner DET1 is comprised in the shaper S in order to determine a leaking time moment P-rel for one of the buffered data packet e.g. for P. This leaking time moment is a time moment at which the data packet must be leaked towards the marker M. The function of determining a leaking time moment is executed on a regular base for each consecutive buffered data packet, starting with the first packet in the buffer BUF, i.e., P, whereby also the adaptive outgoing data packet rate is hereby determined.

Page 11, sixth full paragraph:

The present shaper S is enabled to support three different modes for the event when the conform time moment P-conf is later than then ~~laterthanthe~~ leaking time moment P-rel : the shaped mode; the fast mode and the promoted mode.

Page 13, first full paragraph:

The following paragraph describes the principle working of the present application for the event of a decrease. A packet P of an incoming data flow IN enters the shaper S and is buffered in the buffer BUF. By the time the packet P advances in the buffer BUF, the leaking time determiner DET1 determines according to the above-described algorithm, a leaking time moment P-rel for the packet P. The leaking time determiner provides this leaking time moment P-rel to the comparator COMP. On the other hand, the retriever ~~retreiver~~ RET of the marker provides status information STAT on a regular base to the conform time determiner DET2. The conform time determiner DET2 uses this information in order to calculate for the packet P, a conform time moment P-conf, i.e., a time moment at which, in the event that packet P would be leaked by the shaper S at this conform time moment P-conf, the packet P would receive from the marker M a predefined drop priority, i.e., green. The conform time moment P-conf is forwarded by the conform time determiner DET2 to the comparator COMP. The comparator COP compares both received time moments concerning the packet P. Presume a situation that, on the time schedule, the conform time moment P-conf is earlier than the leaking time moment P-rel. According to this situation, the comparator COMP constitutes the value of the leaking time

moment P-rel with the value of the conform time moment P-conf and provides thereby an adjusted leaking time moment P-rel'. This adjusted leaking time moment P-rel' is forwarded to the buffer BUF which leaks the buffered data packet P at that time moment, i.e., the time moment when it just became conforming for the predefined drop priority, i.e., green. When the packet P arrives at the marker M, the first bucket and the second bucket will be filled with enough tokens, regarding the arrival time moment and the packet length of the packet P, in order to color the packet P with the predefined drop priority, i.e., green.

Please delete the current Abstract of the Disclosure and replace it with the following new Abstract of the Disclosure:

The shaping method buffers data packets of the incoming data flow and determines a leaking time moment for a buffered data packet. The leaking time moment is when the buffer should leaks a data packet. Determining the leaking time moment is a function of traffic contract parameters related to the incoming data flow. Status information is received from a marker that is downstream from the shaper, and a conform time moment is determined according to the status information and to a predefined drop priority. When the buffer leaks a data packet at the conform time moment, upon reception, the buffered data packet receives the predefined drop priority from the marker. The conform time moment is compared with the leaking time moment, and when the conform time moment is earlier, the leaking time moment is constituted with the conform time moment to leak the buffered data packet at that time moment.